

Bay Area Resilience Collaborative

Northern California Wildfires, Fall 2017

FAQs for Attorneys and Others Wanting to Volunteer to Help Survivors of California Wildfires

How can I sign up to volunteer?

Please fill out this survey: <https://www.surveymonkey.com/r/JVZPFQG>

The information is being collected by the State Bar of California, and will be used to contact you with a variety of opportunities (the survey gives you the chance to say what types of things you'd like to help with).

What are the options for volunteering?

At the moment we are anticipating three different volunteer options:

1. Staffing the free legal advice hotline, located in downtown San Francisco
2. Traveling to one of the affected areas and staffing brief services clinics there
3. Taking on full scope pro bono cases for survivors of the fire.

Please note that we are still sorting things out, and survivors are still in the first stages of finding medical care, shelter, food and clothing, so this is a fluid situation.

How does the hotline operate?

Volunteer attorneys will answer the calls, or return calls from earlier in the day. An intake form is provided to record information. The attorney will be collecting basic demographic information from the client, listening to their question, and providing brief advice. An experienced public interest attorney will be serving as a hotline supervisor, and is available for questions and concerns. We have some referrals we can offer clients who need further assistance. We also have some FAQ sheets and other resources that the volunteer can email to callers. The goal is to spend 15-25 minutes with the caller (depending on call volume and staffing).

What are the ethical rules governing the hotline?

At the beginning of each call, volunteers will read a script asking the client to agree that an attorney-client relationship is being formed, but that it will last only for the duration of the call. The client must confirm that he or she understands this, or the matter will be passed on to the hotline supervising attorneys. California ethical rules permit this type of limited scope representation.

What about conflicts checks?

California Rule of Professional Conduct 1-650 permits attorneys volunteering at limited scope legal services clinics (including hotlines like this one) to provide advice without running a conflicts check. A conflict exists only if the attorney knows that one exists. So, for example, if a caller had a legal issue with ABC Corporation, and the attorney knew that she or her firm had represented ABC, then she would have a conflict – and would alert the hotline supervising attorney, and someone else would handle the call. But if she does not know of a conflict, she does not have to contact her office to determine whether they have ever represented ABC.

Some firms identify areas of law where they feel that it would be counter-productive for their business to offer pro bono services, even if there is no actual conflict. For example, some firms that regularly represent employers feel they should not ever take employee-side cases (while other firms find it improves their advocacy skills to have seen the other perspective). If a volunteer's firm does not want their attorneys answering questions in a particular field, the volunteer attorney should alert the hotline supervising attorney to this fact at the outset, and those calls will be routed elsewhere.

Can I take paying or pro bono cases from the clients I speak to on the hotline?

You cannot take paying cases (including contingent fee cases) from the hotline. If you would like to take on one of the clients that you speak with on the hotline, please talk with the Supervising Hotline Attorney. You must complete amended engagement agreements with any such clients – even if all you want to do is offer a follow up call or letter.

Is there training provided to attorneys staffing the hotline?

Yes – volunteers are provided with links to about 3 hours' worth of training in the relevant subject areas. These trainings are currently recorded on YouTube. Written materials are also provided.

Is there supervision and mentoring available at the hotline?

Yes – an experienced public interest attorney will be serving as the on-site hotline supervising attorney at all times.

What about malpractice insurance?

The Justice and Diversity Center, one of the member organizations of BARC, is providing malpractice coverage for volunteer attorneys staffing the hotline. This insurance is primary to whatever insurance may cover you – it will respond in the event of any claim.

What if I am admitted to practice, but not in California?

You are still welcome to sign up to volunteer. If you are licensed elsewhere in the US, you may be able to volunteer on federal issues like FEMA benefits and immigration. In addition, if you speak Spanish, Chinese or Tagalog, we may be able to use your interpreting skills.

What if I am not an attorney (or awaiting bar results)?

You are still welcome to sign up to volunteer. If you speak Spanish, Chinese or Tagalog, we may be able to use your interpreting skills. We may also need volunteers willing to help with non-legal tasks like client intake, organizing referrals, etc.

Are there possibilities to volunteer remotely, from my desk?

We hope to have this capacity, but are as yet unsure about what it might look like. Please stand by (and if you have access to technology or engineers involved in remote service provision, let us know!)

How do I sign up?

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The information is being collected by the State Bar of California, and will be shared with the coalition of groups working on these issues.

Thanks for your interest in helping the survivors of the wildfires!

For more information about volunteering, contact Elizabeth Hom (elizabeth.hom@calbar.ca.gov)

Bay Area Resilience Collaborative (BARC): BARC is a coalition of organizations that has been working to prepare to offer disaster legal aid services in the aftermath of a major disaster. Its members are:

- Alameda County Bar Association and Volunteer Legal Services Corporation
- Bar Association of San Francisco, SF-Marín Lawyer Referral and Information Service and Justice & Diversity Center
- Bay Area Legal Aid
- Legal Aid Association of California
- Pro Bono Net
- State Bar of California

Our mission is to prepare a coordinated legal services response in the aftermath of a disaster.

For more information, contact Tiela Chalmers (ACBA/VLSC) at tiela@acbanet.org, or (415) 806-0225, or Sharon Ngim (State Bar of California) at Sharon.Ngim@calbar.ca.gov or (415) 538-2267